

PS8
(8/88)

UNITED STATES DISTRICT COURT
for
NEW MEXICO

U.S.A. vs **Lawrence Kenneth Garcia**

Docket No. 1:19CR04280-001JB

Petition for Action on Conditions of Pretrial Release

COMES NOW **Jeffrey Martinez-Spelich** PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of **Lawrence Kenneth Garcia**, who was placed under pretrial release supervision by the Honorable John F. Robbenhaar, United States Magistrate Judge, sitting in the court at **Albuquerque, New Mexico**, on May 12, 2021, with conditions which included the following:

- (1) The defendant must not violate federal, state, or local law while on release.
- (7)(h) The defendant must get medical or psychiatric treatment: mental health assessment/ treatment/ counseling as directed by Pretrial Services.
- (7)(m) The defendant must not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- (7)(t) Zero Tolerance.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

On July 30, 2021, this officer received notification that the defendant failed to report to Duke City Recovery Toolbox in Albuquerque, New Mexico for his schedule psychiatric and medication management appointment.

On July 31, 2021, the defendant called this officer and advised he was not going to live at Hoffman Hall anymore. The defendant advised that he had swept and mopped the floors and another resident spilled coffee on the floor and did not clean it up. The defendant stated he became angry and smashed bottles of hot sauce on the floor. The defendant advised he was going to move in with a friend and was going to leave Hoffman Hall with or without this officer's approval. The defendant admitted he smoked half a marijuana cigarette several days ago and was no longer taking his medication that was prescribed to him by the psychologist at Duke City Recovery Toolbox. This officer advised that any third parties needed to be vetted and a home assessment completed before he moved out. The defendant became angry with this officer and hung up the phone. The defendant was subsequently unsatisfactorily discharged from Hoffman Hall.

At approximately 12:20 p.m. on August 1, 2021, this officer received information that the defendant had been arrested by a Valencia County Sheriff's deputy for Criminal Trespass and had been transported to the Valencia County Detention Center. On August 2, 2021, this officer obtained a copy of the Criminal Complaint (Case No. M-59-MR-2021-00198) regarding the incident that occurred on July 31, 2021. A Summons has been issued directing the defendant to appear on August 24, 2021, in Valencia County Magistrate Court.

Later in the day, this officer received a call from Valencia County Sheriff's Department dispatch advising that an officer had been dispatched in reference to a verbal altercation. Dispatch advised the verbal altercation occurred

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between an individual known as Abraham, Renee, and the defendant. Officers then transported the defendant to the Days Inn in Los Lunas, New Mexico for the night. No charges were being sought at this time.

On August 2, 2021, the defendant called and advised he took several "hits" of marijuana last Thursday, July 29, 2021. The defendant was instructed again to report to A New Awakening on August 3, 2021, for a drug test. The defendant advised he would do his drug test in the morning and was then going to report to Presbyterian Kaseman Hospital in Albuquerque, New Mexico, for psychiatric treatment.

PRAYING THAT THE COURT WILL ORDER A WARRANT FOR THE DEFENDANT'S ARREST

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: **August 2, 2021**



Jeffrey Martinez-Spelich
Senior United States Probation Officer

Place: **Albuquerque, New Mexico**